Reg. No. KRNA—25

Karnataka Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV—2-C (i)

BANGALORE, MONDAY, MAY 15 1978
(VAISHAKHA 25, SAKA ERA 1900).

No. 791

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 208 LAC 74.

Bangalore, dated 15th May 1978.

In exercise of the powers conferred by Article 234 and the proviso to Artiole 309 of the Conetitution of India. the Governor of Karnataka, after consultation with the Karnataka Public Service Commission and the High Court of Karnataka, hereby makes the follewir g ru es, namely :—

1. **Title commencement and application.**—(1) These rules may be called the Karnataka Munsiffs (Special Recruitment) Rules. 1978.

(2) They shall oome into force on the date of their publica-tion in the official Gazette.

(3) These rules shall apply to the recruitment of seventy persons to the cadre of Munsiffs.

2. **Method of recruitment, etc.**,—The method of recruitment of seventy persons under these rules to the cadre of Munsiffs and the qualification therefore, shall be as specified below, namely :—

Method of Recruitment	Minimum qualification, probation. etc.
1	2
By direct recruitment— Selection of candidates shall be made by a Committee consisting of three Judges of the High Court of Karnataka nominated by the Chief Justice of Karnataka.	(1) Must be holder of a Degree in Arts, Science or Commerce and a Degree in Law of a University established by Law in India ; and

1	2
An officer of the High Court of Karnataka nominated by the Selection Committee shall be the Secretary of the Selection Committee.	(2) Must be practising, on the last date fixed for submission of application as an Advocate in Courts of Civil and Criminal Jurisdiction in India and must have so practised for not less than four years on such date.
Selection shall be made by the Selection Committee on the basis of marks obtained in the *viva voce* examination. Maximum marks shall be 100.	Must have attained the age of 23 years and must not have attained the age of 35 years on the last date fixed for submission of applications
	Probation :—A candidate finally selected will be appointed on probation for a period of two years and the provisions of the Karnataka Civil Services (Probation) Rules, 1977 shall, *mutatis mutandis*, apply to persons so appointed. During the period of probation the candidate shall—
	(a) undergo such training as may be prescribed by the High Court for a period of not less than six months ;
	(b) pass the Kannada Language Examination conducted by the Karnataka Public Service Commission in accordance with the Karnataka Civil Services (Service and Kannada Language Examinations) Rules, 1974.

Note :—(1) The Selection Committee shall invite applications indicating the probable number of vacancies available.

(2) A candidate shall, along with his application,—

(a) produce from the Presiding Officer of the Court in which he is actually practising a certificate indicating the length of his practice and his suitability for appointment as Munsiff ;

(b) produce certificates of good character from the Principal of the College or of the Institution in which he was last studying and from a Gazetted Officer or other responsible person, not being related to him but who is well acquainted with him in private life ;

(c) remit such fee and in such manner as may be specified by the Selection Committee. Applications received without such fee shall be rejected. Fee once paid shall not be refunded ;

(d) produce such other documents or certificates as the Selection Committee may specify.

3 The Selection Committee may conduct the *viva voce* examination in such place or places as it may determine.

4. The Selection Committee shall, subject to the orders in force relating to reservation of posts to Scheduled Castes, Scheduled Tribes and other Backward Classes prepare a list containing the names, in the order of merit, of such number of successful candidates as is equal to the number of vacancies notified.

5. The list of successful candidates shall be in operation till all candidates included in the list are appointed.

6. Subject to these rules the Selection Committee shall, for making selection, adopt such procedure as it may consider appropriate.

7. *Viva Voce* examination shall be to test the candidate's general knowledge, grasp of the principles of Law and suitability in all respects for appointment as Munsiff. The Selection Committee may obtain confidential reports about the conduct, character, integrity, temparament, behaviour and such other matters as it considers relevant in respect of all candidates and take them into consideration while awarding marks.

8. Every person appointed to be a Munsiff shall, before he enters upon his office shall make and subscribe before the Chief Justice of the High Court or such other Judge of the High Court or a District Judge, as may be appointed in that behalf by him, an oath or Affarmation in the following form :

"I..... .....having been appointed to the Judicial Service of the State of Karnataka do swear in the name of God/ solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by Law established, that I will duly and faithfully and to the best of my ability, knowledge and judgement perform the duties of my office, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws".

9. (1) Provisions of Rules 5, 6 (2) and 10 to 13 of the Karnataka State Civil Services (General Recruitment) Rules, 1977, shall in so far as they are not inconsistent with the provisions of these rules, *mutatis mutandis* apply to recruitment of Munsiffs under these rules.

(2) The provisions of the Karnataka State Civil Services (Direct Recruitment by Selection) Rules, 1977 shall not apply for recruitment of Munsiffs under these rules.

GOVIND NARAIN,
GOVERNOR OF KARNATAKA,

By Order and in the name of the Governor of Karnataka,

T. K. VITTAL,
Deputy Secretary to Government,
Deptt. of Law and Parly. Affairs.

G.S.R.—119

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, Bhow,